

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

FILED

March 22, 2023

UNITED STATES OF AMERICA,

§

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

Plaintiff,

§

By: DT

Deputy

v.

MARK MATYI,

Defendant.

§ INDICTMENT

Case No: EP:23-CR-00604-DB

CTS 1-14: 18 U.S.C. § 1343, Wire Fraud

§ Notice of Government's Demand for  
Forfeiture

§

THE GRAND JURY CHARGES:

**COUNTS ONE THROUGH FOURTEEN****(18 U.S.C. § 1343)  
WIRE FRAUD****INTRODUCTION****At all times relevant to this Indictment:**

1. Defendant, **MARK MATYI**, lived in or around El Paso Texas, within the Western District of Texas.
2. Defendant, **MARK MATYI**, registered and owned certain corporations and companies which he utilized to further his unlawful scheme, as more fully detailed below.
3. Defendant, **MARK MATYI**, was not authorized by the United States Bureau of Land Management or any other Agency or Department of the United States to sell, convey, transfer and otherwise dispose of lands owned by the United States and under the management of the United States Bureau of Land Management.

**Scheme and Artifice to Defraud and to Obtain Money or Property**

It was part of the Scheme to Defraud that:

1. Defendant, **MARK MATYI**, filed false documents with state and county agencies in California, Colorado, New Mexico and Texas in which he claimed to be a representative

of the United States and purported to transfer land from the United States to companies owned and operated by defendant, **MARK MATYI**.

2. After filing the false documents, defendant, **MARK MATYI**, advertised for sale the lands that he had falsely purported to transfer on Internet websites, specifically an Internet website (“The Company”) that allows individuals to post items for sale.
3. Each item defendant **MARK MATYI** posted for sale on the Company’s website had an accompanying “Item ID” number, as further detailed below.
4. Defendant, **MARK MATYI**, then entered into agreements to sell, convey and transfer the lands that he had purportedly transferred from the United States to companies he owned and operated, to other individuals, thereby obtaining and attempting to obtain monies from those individuals.

Beginning on or about July 27, 2018 and continuing through on or about December 22, 2018, in the Western District of Texas, and elsewhere, the defendant,

**MARK MATYI**

did devise and intend to devise a scheme and artifice to defraud and to obtain money and property from certain individuals as described below by means of material false and fraudulent pretenses, representations and promises, both by affirmative acts and by deceitful concealment of material facts, that is, the defendant, **MARK MATYI**, devised and intended to devise a scheme to obtain money from the individuals described below; and the defendant did transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce certain writings, signs, signals and pictures for the purpose of executing such scheme and artifice:

CT #	VICTIM	ITEM ID	DATES OF WIRE TRANSMISSIONS
<b>CT #1</b>	J.S.	401615488447	On or about October 11, 2018
<b>CT #2</b>	E.A.R.	401616217143	On or about October 12, 2018
<b>CT #3</b>	T.P.	401618235927	On or about October 16, 2018
<b>CT #4</b>	A.C.	401624486266	On or about October 27, 2018

CT #5	J.C.	Case 3:23-cr-00604-DB Document 1 Filed 03/22/23 Page 3 of 4 40162458706	On or about October 27, 2018
CT #6	S.P.	401628642870	On or about November 3, 2018
CT #7	T.N.	401628667307	On or about November 3, 2018
CT #8	J.G.	401640777247	On or about November 20, 2018
CT #9	S.C.	401650218455	On or about December 4, 2018
CT #10	R.G. AKA K.F.	401650330978	On or about December 4, 2018
CT #11	D.P.	401651465433	On or about December 6, 2018
CT #12	J.L.	401657657209	On or about December 14, 2018
CT #13	G.M.	401667399413	On or about December 22, 2018
CT #14	A.G.N.	401667399905	On or about December 22, 2018

all in violation of Title 18, United States Code, Section 1343.

**NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE**

**[See Fed. R. Crim. P. 32.2]**

**I.**

**Wire Fraud Violation and Forfeiture Statutes**

**[Title 18 U.S.C. § 1343, subject to forfeiture pursuant to Title 18 U.S.C § 981(a)(1)(C), as made applicable to criminal forfeiture by Title 28 U.S.C. 2461(c)]**

As a result of the foregoing criminal violations set forth in Counts One through Fourteen, the United States of America gives notice to Defendant **MARK MATYI** of its intent to seek the forfeiture of certain property upon conviction and pursuant to FED. R. CRIM. P. 32.2 and Title 18 U.S.C. § 981(a)(1)(C), as made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c). Title 18 U.S.C. § 981(a)(1)(C) state in pertinent part:

**Title 18 U.S.C. § 981. Civil Forfeiture**

(a)(1) The following property is subject to forfeiture to the United States:

\* \* \*

(C) Any property, real or personal, which constitutes or is derived from proceeds traceable to a violation . . . of this title or any offense constituting "specified unlawful activity" (as defined in section 1956(c)(7) of this title), or a conspiracy to commit such offense.

Wire Fraud is an offense constituting "specified unlawful activity" as defined in section 1956(c)(7).

This Notice of Demand of Forfeiture includes but is not limited to the property described below in Paragraph II.

**Money Judgment**

A sum of money that represents the amount of proceeds obtained, directly or indirectly, property involved in such offense, or traceable to such property as a result of the violations set forth in Indictment for which Defendant **MARK MATYI** is liable.

**Substitute Assets**

If any of the above described forfeitable properties, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture, pursuant to Title 21 U.S.C. § 853(p) and Fed. R. Crim. P. 32.2, of any other property (substitute assets) of said Defendant up to the value of the forfeitable properties.

A TRUE BILL.

[REDACTED]  
FOREPERSON OF THE GRAND JURY

JAIME ESPARZA  
UNITED STATES ATTORNEY  
BY: \_\_\_\_\_

Assistant United States Attorney